

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Peter Mwithiga,

Plaintiff,

vs.

Officer J Pierce 17028, Officer Javon
Charles, 18078, Sheriff Kevin McMahon, Las
Vegas Metropolitan Police Department, City
of Las Vegas, Clark County Nevada

Defendants.

CASE NO. 2:23-cv-1330-GMN-MDC

DISCOVERY PLAN AND SCHEDULING ORDER

The Discovery Plan and Scheduling Order was due by June 22, 2024. *See* ECF No. 13. On July 1, 2024, defendants Las Vegas Metropolitan Police Department, Office J Pierce, Officer Javon Charles, and Sheriff Kevin McMahon (“Metro Defendants”) filed a Motion to Stay Discovery (ECF No. 31) pending determination of their Motion to Dismiss (ECF No. 28) the Amended Complaint. Among other things, those defendants argue that no additional discovery is needed as to the Metro Defendants. *See* ECF No. 31 at 6-8. On July 2, 2024, plaintiff filed a purported stipulated discovery plan (ECF No. 32), which the Court denied because it was not signed by defendant City of Las Vegas. While defendant City of Las Vegas also filed a Motion to Dismiss (ECF No. 13) on May 8, 2024, it did not file a motion to stay discovery and has not otherwise sought relief from LR 26-1. Therefore, the Court enters the following Discovery Plan and Scheduling Order applicable to plaintiff and defendant City of Las Vegas.

1. Initial Disclosures. The initial disclosures to be made pursuant to Fed. R. Civ. P. 26(a)(1) shall be made by July 12, 2024.

2. Discovery Cut-Off Date. The discovery cut-off date is December 3, 2024.

3. **Amending the Pleadings and Adding Parties.** The deadline to amend the pleadings and add parties is September 4, 2024.

4. **Expert and Rebuttal-Expert Disclosures.** The deadline to disclose experts is October 4, 2024. The deadline to disclose rebuttal experts is November 4, 2024.

5. **Dispositive Motions.** The deadline to file dispositive motions is January 2, 2025. In the event that the discovery period is extended from the discovery cut-off date set forth in this Joint Discovery Plan and Scheduling Order, the date for filing dispositive motions shall be extended for the same duration, to be no later than thirty (30) days from the subsequent discovery cut-off date.

6. **Pretrial Order.** The deadline to file a pretrial order is February 3, 2025. In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after the decision of the dispositive motions or until further order of the Court. In the further event that the discovery period is extended from the discovery cut-off date set forth in this Joint Discovery Plan and Scheduling Order, the date for filing the joint pretrial order shall be extended in accordance with the time period set forth in this paragraph.

7. **Fed. R. Civ. P. 26(a)(3).** The disclosures required by this rule and any objections thereto, will be included in the joint pretrial order.

Dated: July 8, 2024

IT IS SO ORDERED.



Hon. Maximiliano D. Couvillier III
United States Magistrate Judge

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